

Application No. 10/589,313
Amendment Dated June 28, 2011
Reply to Office Action Dated April 19, 2011

Remarks

Claims 1-8 are pending.

Claims 1-8 stand rejected.

Claims 2-3 and 7 have been cancelled.

Claims 1, 4-6 and 8 are amended.

Claims 1, 4-6 and 8 are submitted herein for review.

No new matter has been added.

In the first section of the Office Action, the Examiner has objected to the Oath because the priority section marks that “no” priority is claimed to the priority files of FR 04 50294 and PCT/2005/050100. Applicants have reviewed the signed Oath and believe that the issue has arisen because the Word processor moved the words “YES” and “NO” one place/tab to the left under their respective check box areas. For example, the line across from the priority application offers two open check box areas. The line there under has only two designations a Yes designation for the first box and a No designation for the second box. The first box is clear checked for both priority applications. Applicants submit that the intention to claim priority is clear even though the “YES” and “NO” check box designators are offset to the left because of the word processor and that the inventors intended to claim priority to both. In fact, the present application is a National Phase of a PCT application and thus it inherently has the priority claims of the National Phase application.

Turning to the prior art rejections, the Examiner has now rejected claims 1-2 and 7 under 35 U.S.C. § 102(b) as being anticipated by either one of Morris (U.S. Patent No. 5,384,607) or Karasawa (U.S. Patent No. 5,739,797). Separately, the Examiner has indicated that dependent

Application No. 10/589,313
Amendment Dated June 28, 2011
Reply to Office Action Dated April 19, 2011

claims 3-6 and 8 contain allowable subject matter.

In response, the allowable subject matter of claim 3 has been added to independent claim 1 and claims 6 and 8 have been amended to be independent using the subject matter of claim 1.

In view of the foregoing, Applicants respectfully submit that pending claims 1, 4-6 and 8 are in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that an interview would facilitate the prosecution of this Application they are invited to contact the undersigned at the number listed below.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By: /Joseph Sofer/
Joseph Sofer
Reg. No 34,438
317 Madison Avenue
Suite 910
New York, NY 10017
(212) 697-2800

Dated: June 28, 2011